

Rev. 4/18

UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT  
**CIVIL APPEAL STATEMENT**

Please TYPE. Attach additional pages if necessary.

11th Circuit Docket Number: 23-10616

Caption: <b>Pernell et al. v. Andrade et al.</b>	District and Division: <u>Northern District</u> Name of Judge: <u>Judge Mark Walker</u> Nature of Suit: <u>Section 1983</u> <hr/> Date Complaint Filed: <u>8/18/2022</u> District Court Docket Number: <u>4:22-cv-304</u> <hr/> Date Notice of Appeal Filed: <u>2/28/2023</u> <input type="checkbox"/> Cross Appeal <input type="checkbox"/> Class Action <hr/> Has this matter previously been before this court? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide (a) Caption: <u>Pernell v. Lamb</u> (b) Citation: _____ (c) Docket Number: <u>22-13992</u>
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	Attorney Name	Mailing Address	Telephone, Fax, Email
For Appellant:	<b>Daniel Bell for</b>	<b>Office of the Attorney</b>	<b>850-414-3300,</b>
<input type="checkbox"/> Plaintiff	<b>Movants-Appellants</b>	<b>General, PL-01, The</b>	<b>850-414-2672,</b>
<input type="checkbox"/> Defendant		<b>Capitol Tallahassee,</b>	<b>daniel.bell@myfloridale</b>
<input checked="" type="checkbox"/> Other (Specify)		<b>FL 32399</b>	<b>gal.com</b>

	Attorney Name	Mailing Address	Telephone, Fax, Email
For Appellee:	<b>Jerry Edwards, Sarah</b>	<b>ACLU Foundation of</b>	<b>786-363-1107,</b>
<input checked="" type="checkbox"/> Plaintiff	<b>Hinger for</b>	<b>Florida, 933 Lee Rd.</b>	<b>jedwards@aclufla.org</b>
<input type="checkbox"/> Defendant	<b>Plaintiffs-Appellees</b>	<b>Suite 102, Orlando, FL</b>	
<input type="checkbox"/> Other (Specify)		<b>32810</b>	

Please CIRCLE/CHECK/COMPLETE the items below and on page 2 that apply.

Jurisdiction	Nature of Judgment	Type of Order	Relief
<input checked="" type="checkbox"/> Federal Question	<input type="checkbox"/> Final Judgment, 28 USC 1291	<input type="checkbox"/> Dismissal/Jurisdiction	Amount Sought by Plaintiff: \$ <u>N/A</u>
<input type="checkbox"/> Diversity	<input checked="" type="checkbox"/> Interlocutory Order, 28 USC 1292(a)(1)	<input type="checkbox"/> Default Judgment	Amount Sought by Defendant: \$ <u>N/A</u>
<input type="checkbox"/> US Plaintiff	<input type="checkbox"/> Interlocutory Order Certified, 28 USC 1292(b)	<input type="checkbox"/> Summary Judgment	Awarded: \$ <u>N/A</u>
<input type="checkbox"/> US Defendant	<input type="checkbox"/> Interlocutory Order, Qualified Immunity	<input type="checkbox"/> Judgment/Bench Trial	to _____
	<input type="checkbox"/> Interlocutory Order, Final Agency Action (Review)	<input type="checkbox"/> Judgment/Jury Verdict	Injunctions:
	<input type="checkbox"/> 54(b)	<input type="checkbox"/> Judgment/Directed Verdict/NOV	<input type="checkbox"/> TRO
		<input type="checkbox"/> Injunction	<input type="checkbox"/> Preliminary
		<input checked="" type="checkbox"/> Other <u>denying in part claim of legislative privilege</u>	<input type="checkbox"/> Permanent
			<input type="checkbox"/> Granted
			<input type="checkbox"/> Denied

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11th Circuit Docket Number: \_\_\_\_\_

Based on your present knowledge:

- (1) Does this appeal involve a question of First Impression? ☒ Yes ☐ No  
 What is the issue you claim is one of First Impression? Whether claims of legislative privilege are subject to judicial balancing in civil cases.

- (2) Will the determination of this appeal turn on the interpretation or application of a particular case or statute? ☐ Yes ☒ No

If Yes, provide

- (a) Case Name/Statute \_\_\_\_\_  
 (b) Citation \_\_\_\_\_  
 (c) Docket Number if unreported \_\_\_\_\_

- (3) Is there any case now pending or about to be brought before this court or any other court or administrative agency that  
 (a) Arises from substantially the same case or controversy as this appeal? ☒ Yes ☐ No  
 (b) Involves an issue that is substantially the same, similar, or related to an issue in this appeal? ☐ Yes ☐ No

If Yes, provide

- (a) Case Name Pernell v. Lamb  
 (b) Citation \_\_\_\_\_  
 (c) Docket Number if unreported 22-13992  
 (d) Court or Agency CA11

- (4) Will this appeal involve a conflict of law  
 (a) Within the Eleventh Circuit? ☐ Yes ☒ No  
 (b) Among circuits? ☐ Yes ☒ No

If Yes, explain briefly:

- (5) Issues proposed to be raised on appeal, including jurisdictional challenges:

Whether the district court erred in concluding that the legislative privilege had been overcome in this case.

I CERTIFY THAT I SERVED THIS CIVIL APPEAL STATEMENT ON THE CLERK OF THE U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT AND

SERVED A COPY ON EACH PARTY OR THEIR COUNSEL OF RECORD, THIS 14th DAY OF March, 2023.

Daniel Bell

NAME OF COUNSEL (Print)

/s/ Daniel Bell

SIGNATURE OF COUNSEL